

FIRST REGULAR SESSION

# SENATE BILL NO. 496

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CUNNINGHAM.

Read 1st time February 25, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

2149S.011

## AN ACT

To amend chapter 161, RSMo, by adding thereto one new section relating to extracurricular competitive activities.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 161, RSMo, is amended by adding thereto one new section, to be known as section 161.710, to read as follows:

**161.710. 1. Beginning with school year 2010-2011, the department of elementary and secondary education may, at the discretion of the state board of education, provide oversight and administration for all public schools that choose to participate in extracurricular competitive activities. The department may provide oversight and administration for any private school electing to have the department provide oversight and administration in relation to extracurricular competitive activities.**

**2. The department may charge a fee to both public and private schools for costs associated with providing services under this section and may participate in licensing arrangements that generate revenue to offset the cost of administration.**

**3. No public school may participate in an association that regulates extracurricular competitive activities unless the association submits its proposed rules and regulations to the joint committee on administrative rules, which may seek recommendations from the department.**

**4. The department may promulgate rules and regulations for the purpose of carrying out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become**

22 effective only if it complies with and is subject to all of the provisions  
23 of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This  
24 section and chapter 536, RSMo, are nonseverable and if any of the  
25 powers vested with the general assembly pursuant to chapter 536,  
26 RSMo, to review, to delay the effective date, or to disapprove and annul  
27 a rule are subsequently held unconstitutional, then the grant of  
28 rulemaking authority and any rule proposed or adopted after August  
29 28, 2009, shall be invalid and void.

Unofficial

Bill

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